

## Heimdal, Monica

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**From:** John Brunini <jbrunini@brunini.com>  
**Sent:** Monday, September 23, 2013 1:43 PM  
**To:** Kato, Linda; 'Cimarosti, Daniel E NWO'  
**Cc:** Mikulecky, Matthew J NWO; Heimdal, Monica; Crooke, Patsy J NWO; kb@geomap.tv; Chris Hughes (chh222@gmail.com)  
**Subject:** RE: Restoration Plan and Contact (UNCLASSIFIED)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Linda,

Thanks very much for this email. Please send the original signed version to me and I will distribute it and copies to the BIP 40 principals. Thanks again for all of your help with this matter.

JB

-----Original Message-----

**From:** Kato, Linda [mailto:Kato.Linda@epa.gov]  
**Sent:** Monday, September 23, 2013 2:42 PM  
**To:** John Brunini; 'Cimarosti, Daniel E NWO'  
**Cc:** Mikulecky, Matthew J NWO; Heimdal, Monica; Crooke, Patsy J NWO; kb@geomap.tv; Chris Hughes (chh222@gmail.com)  
**Subject:** RE: Restoration Plan and Contact (UNCLASSIFIED)

John - I anticipate that we will file the AOC late this afternoon or tomorrow morning. I will send you a PDF of the final after it is filed and we get a docket number. Would you like the original signed version to be sent to you or to Mr. Haugen?

Linda S. Kato  
Enforcement Counsel  
U.S. EPA Region 8  
Mail Code ENF-L  
1595 Wynkoop  
Denver, CO 80202  
(303) 312-6852  
kato.linda@epa.gov

-----Original Message-----

**From:** John Brunini [mailto:jbrunini@brunini.com]  
**Sent:** Friday, September 20, 2013 9:29 AM  
**To:** 'Cimarosti, Daniel E NWO'  
**Cc:** Mikulecky, Matthew J NWO; Heimdal, Monica; Crooke, Patsy J NWO; kb@geomap.tv; Kato, Linda; Chris Hughes (chh222@gmail.com)  
**Subject:** RE: Restoration Plan and Contact (UNCLASSIFIED)

Dan and Matt,

Thank you both very much for your time this morning. Attached to this email, please find three items.

1. The first attachment is a copy of an email received from EPA Region 8 Attorney Linda Kato dated yesterday confirming that EPA has approved BIP 40's restoration plan and is awaiting receipt from BIP 40 of the final Administrative Order on Consent.
2. The second attachment is a copy of BIP 40's final restoration plan which has been approved by EPA Region 8.
3. The last item is a copy (at this point executed only by BIP 40) of the final Administrative Order on Consent for which we are awaiting EPA signature. We believe EPA will receive the original executed by BIP 40 via FedEx today.

As we discussed this morning, once I receive a final, fully executed version of the Administrative Order on Consent, I will send you a copy by email and give you a call. As Ms. Kato states in her email of yesterday, we anticipate this to occur early next week. Once I provide that to you and call you, I understand that you will provide verbal authorization for BIP 40 to proceed with the restoration activities under NWP 32 and you will follow that verbal authorization with a written authorization to proceed.

Dan and Matt, thank you both very much for your cooperation and assistance in this matter. If you have any problems opening the attachments or any questions regarding this matter, please feel free to call me. Thanks again.

JB

John A. Brunini  
E: <mailto:jbrunini@brunini.com>  
P: 601-973-8712 F: 601-960-6902

Brunini, Grantham, Grower & Hewes, PLLC  
The Pinnacle Building  
190 East Capitol St, Suite 100, Jackson, MS 39201 Post Office Drawer 119, Jackson, MS 39205

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-----Original Message-----

From: Cimarosti, Daniel E NWO [mailto:Daniel.E.Cimarosti@usace.army.mil]

Sent: Friday, September 20, 2013 7:49 AM

To: John Brunini

Cc: Mikulecky, Matthew J NWO; Heimdal, Monica; Crooke, Patsy J NWO

Subject: Restoration Plan and Contact (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Mr. Brunini,

As we discussed, if I am out of the office please contact Matt Mikulecky for confirmation of NWP 32 once EPA determines compliance with their order.

Classification: UNCLASSIFIED

Caveats: NONE